# Executive Summary – Enforcement Matter – Case No. 62313 Mary Stewart dba Shiloh RV Park RN103939666 Docket No. 2022-0540-PWS-E

# Order Type:

Findings Agreed Order

# Findings Order Justification:

Three repeated enforcement actions (or two orders with nuisance violations) over the prior five year period for the same violation(s).

# Media:

**PWS** 

# **Small Business:**

Yes

# Location(s) Where Violation(s) Occurred:

Shiloh RV Park, 5539 Farm-to-Market Road 762 near Richmond, Fort Bend County

# Type of Operation:

Public water supply

# Other Significant Matters:

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

**Texas Register Publication Date:** March 1, 2024

Comments Received: No

# **Penalty Information**

**Total Penalty Assessed:** \$5,250

Total Paid to General Revenue: \$5,250 Total Due to General Revenue: \$0

Payment Plan: N/A

# **Compliance History Classifications:**

Person/CN - Unclassified

Site/RN - N/A

Major Source: No

Statutory Limit Adjustment: N/A

**Applicable Penalty Policy:** January 2021

# **Investigation Information**

Complaint Date(s): N/A

**Complaint Information:** N/A

Date(s) of Investigation: March 31, 2022

**Date(s) of NOE(s):** April 29, 2022

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# Violation Information

- 1. Failed to notify the Executive Director prior to making any significant change or addition where the change in the existing distribution system results in an increase or decrease in production, treatment, storage, or pressure maintenance capacity [30 Tex. Admin. Code § 290.39(j)(1)(A) and Tex. Health & Safety Code § 341.0351].
- 2. Failed to provide a minimum well capacity of 0.6 gallons per minute ("gpm") per unit [30 Tex. Admin. Code § 290.45(c)(1)(B)(i) and Tex. Health & Safety Code § 341.0315(c)].
- 3. Failed to provide a ground storage capacity of 35 gallons per unit [30 Tex. ADMIN. CODE § 290.45(c)(1)(B)(ii) and Tex. Health & Safety Code § 341.0315(c)].
- 4. Failed to provide two or more service pumps which have a total capacity of 1.0 gpm per unit [30 Tex. Admin. Code § 290.45(c)(1)(B)(iii) and Tex. Health & Safety Code § 341.0315(c)].
- 5. Failed to provide a pressure tank capacity of ten gallons per unit [30 Tex. ADMIN. CODE § 290.45(c)(1)(B)(iv) and Tex. Health & Safety Code § 341.0315(c)].

# Corrective Actions/Technical Requirements

# **Corrective Action(s) Completed:**

N/A

# **Technical Requirements:**

The Order will require the Respondent to:

- a. Within 180 days:
- i. Submit accurate, up-to-date, and detailed as-built plans, specifications, and engineering reports for the significant changes made to the Facility's production and treatment, including but not limited to the use of polyphosphate:
- ii. Provide a well capacity of at least 0.6 gpm per unit;
- iii. Provide a ground storage capacity of at least 35 gallons per unit;
- iv. Provide two or more service pumps which have a total capacity of at least 1.0 gpm per unit; and
- v. Provide a pressure tank capacity of at least ten gallons per unit.
- b. Within 195 days, submit written certification to demonstrate compliance with a.

# Executive Summary – Enforcement Matter – Case No. 62313 Mary Stewart dba Shiloh RV Park RN103939666 Docket No. 2022-0540-PWS-E

- c. Within 270 days, obtain approval of the as-built plans and specifications for the significant changes made to the Facility from the Executive Director.
- d. Within 285 days, submit written certification to demonstrate compliance with c.

# **Contact Information**

TCEQ Attorney: N/A

**TCEQ Enforcement Coordinator:** Samantha Salas, Enforcement Division, Enforcement Team 5, MC 219, (512) 239-1543; Michael Parrish, Enforcement Division, MC 219, (512) 239-2548

Respondent: Mary Stewart, Owner, Shiloh RV Park, 43 Bendwood Drive, Sugar Land,

Texas 77478

Respondent's Attorney: N/A



# Penalty Calculation Worksheet (PCW)

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

RESPONDENT/FACILITY INFORMATION Respondent Mary Stewart dba Shiloh RV Park Reg. Ent. Ref. No. RN.103399666 Facility / Site Region   12-Houston   Major/Minor Source   Minor    CASE INFORMATION Ent./Case I No.   62313	DATES		-	C	EDA D			
Respondent Mary Stewart dba Shilloh RV Park Reg. Ent. Ref. No. RNJ03393666 Facility/Site Region 12-Houston Major/Minor Source Minor  CASE SUFFORMATION Enf./Case 1D No. 2022-0540-PWS-E Order Type Findings Or		PCW	6-May-2022	Screening 5-May-2022	EPA Due			
Respondent Mary Stewart dba Shilloh RV Park Reg. Ent. Ref. No. RNJ03393666 Facility/Site Region 12-Houston Major/Minor Source Minor  CASE SUFFORMATION Enf./Case 1D No. 2022-0540-PWS-E Order Type Findings Or	DECDO	NDENT/EACTLT	TV INFORMATI	ON				
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Facility/site Region   12-Houston   Major/Minor Source   Minor	Poo			Da SIIIIOII KV Park				
CASE INFORMATION Eff,/Case ID No. 62313 Docket No. 2022-0540-PWS-E Media Program(s) Multi-Media Admin. Penalty \$ Limit Minimum \$50   Penalty Calculation Section  TOTAL BASE PENALTY (Sum of violation base penalties)  ADJUSTMENTS (+/-) TO SUBTOTAL 1 Subtotals 2, are obtained by multiplying the Total Base Penalty (Subtoral 1) by the indicated percentage.  Compliance History  Notes  No adjustment for Compliance History.  Subtotal 5  Subtotal 5  \$0  Subtotal 4  \$0  Notes  No adjustment for Compliance History.  Subtotal 5  \$0  Subtotal 5  \$0  Subtotal 5  \$0  Subtotal 5  \$0  Notes  The Respondent does not meet the culpability criteria.  Subtotal 5  \$0  \$0  Subtotal 5  \$0  \$0  \$0  Subt					Major/M	linor Source	Minor	
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Docket No.   2022-0340-PWS-E   Government/Non-Profit No   Multi-Media   Public Water Supply   Government/Non-Profit No   Enf. Coordinator   Samantha Salas   EC's Team   Enforcement Team 5			62313		No. o	of Violations	5	
Media Program(s)   Public Water Supply   Government/Mon-Profit No Enf. Coordinator   Samantha Salas   EC's Team   Enforcement Team 5		_		S-F				
Multi-Media Admin. Penalty \$ Limit Minimum \$50   Maximum \$5,000  Penalty Calculation Section  TOTAL BASE PENALTY (Sum of violation base penalties)	Med				Government			
Admin. Penalty \$ Limit Minimum \$50 Maximum \$5,000  Penalty Calculation Section  TOTAL BASE PENALTY (Sum of violation base penalties) Subtotal 1 \$5,250  ADJUSTMENTS (+/-) TO SUBTOTAL 1 Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.  Compliance History 0.0% Adjustment Subtotal 2, 3, & 7 \$0  Notes No adjustment for Compliance History.  Culpability No 0.0% Enhancement Subtotal 4 \$0  Notes The Respondent does not meet the culpability criteria.  Good Faith Effort to Comply Total Adjustments Subtotal 5 \$0  Economic Benefit Total EB Amounts \$3,8,897 **Capped at the Total EB \$ Amount \$5,250  SUM OF SUBTOTALS 1-7 Final Subtotal \$5,250  OTHER FACTORS AS JUSTICE MAY REQUIRE 0.0% Adjustment \$0  Reduces or enhances the Final Subtotal by the indicated percentage.  Notes No deferral is recommended for Findings Orders.				- F /		-		as
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Penalty Calculation Section  TOTAL BASE PENALTY (Sum of violation base penalties)  Subtotal 1  \$5,250  ADJUSTMENTS (+/-) TO SUBTOTAL 1  Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the Indicated percentage.  Compliance History  Notes  No adjustment for Compliance History.  Culpability  No  0,0% Enhancement  Subtotal 2  \$0  Notes  The Respondent does not meet the culpability criteria.  Good Faith Effort to Comply Total Adjustments  Subtotal 5  \$0  Economic Benefit  Total EB Amounts  Subtotal 5  \$0  \$0  Estimated Cost of Compliance  \$3,897  Estimated Cost of Compliance  \$3,0500  The Respondent does not meet the Total EB \$ Amount  **Capped at the Total EB \$ Amount  **Capped at the Total EB \$ Amount  Subtotal 5  \$0  OTHER FACTORS AS JUSTICE MAY REQUIRE  Reduces or enhances the Final Subtotal by the Indicated percentage.  Notes  **Inal Penalty Amount  \$5,250  STATUTORY LIMIT ADJUSTMENT  Final Assessed Penalty  \$5,250  DEFERRAL  Reduces the Final Assessed Penalty by the Indicated percentage.  Notes  No deferral is recommended for Findings Orders.	Adn	nin. Penalty \$ L	imit Minimum	\$50 <b>Maximum</b>	\$5,000			
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**Docket No.** 2022-0540-PWS-E

Policy Revision 5 (January 28, 2021) PCW Revision February 11, 2021

**Respondent** Mary Stewart dba Shiloh RV Park

**Case ID No.** 62313

Reg. Ent. Reference No. RN103939666

**Media** Public Water Supply

**Enf. Coordinator** Samantha Salas

Number of	Number					
Written notices of violation ("NOVs") with same or similar violations as those in the		Adjust.				
	0	0%				
Other written NOVs	0	0%				
Any agreed final enforcement orders containing a denial of liability ( <i>number of</i>						
orders meeting criteria )	0	0%				
Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%				
Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgments or consent decrees meeting criteria)	0	0%				
Decrees , , ,						
Convictions Any criminal convictions of this state or the federal government (number of counts)  Emissions Chronic excessive emissions events (number of events)						
Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 ( <i>number of audits for which violations were disclosed</i> )	0	0%				
	No	0%				
Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%				
Participation in a voluntary pollution reduction program	No	0%				
Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%				
Adjustment Perc	centage (Su	btotal 2)				
Subtotal 3)						
Adjustment Perc	centage (Su	btotal 3)				
ory Person Classification (Subtotal 7)						
ified Adjustment Pero	centage (Su	btotal 7)				
ory Summary	<b>3</b> (	<i>,</i> –				
No adjustment for Compliance History.						
Total Compliance History Adjustment Percentage (S	Subtotals 2,	3, & 7)				
	Other written NOVs  Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)  Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission  Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government, or any final prohibitory emergency orders issued by the commission  Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgments or consent decrees meeting criteria)  Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government (number of counts)  Any criminal convictions of this state or the federal government (number of counts)  Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)  Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)  Environmental management systems in place for one year or more  Voluntary on-site compliance assessments conducted by the executive director under a special assistance program  Participation in a voluntary pollution reduction program  Early compliance with, or offer of a product that meets future state or federal government environmental requirements  Adjustment Perconditional Adjustment Perconditions and the program of the program	Other written NOVs  Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)  Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission  Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgments or consent decrees meeting criteria)  Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government (number of the federal government (number of counts)  Chronic excessive emissions events (number of events)  Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)  Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)  Environmental management systems in place for one year or more  No  Voluntary on-site compliance assessments conducted by the executive director under a special assistance program  Participation in a voluntary pollution reduction program  Adjustment Percentage (Suitary Compliance with, or offer of a product that meets future state or federal government environmental requirements  Adjustment Percentage (Suitary Compliance with, or offer of a product that meets future state or federal proventine to the product of the meets future state or federal proventine to the product of the p				

	Screening Date	5-May-2022	Docket No. 2022-0540-PWS-E	PCW
		Mary Stewart dba Shiloh RV	Park	Policy Revision 5 (January 28, 2021)
	Case ID No.			PCW Revision February 11, 2021
Reg.	Ent. Reference No.			
		Public Water Supply		
	Enf. Coordinator	Samantha Salas		
	Violation Number	1		
	Rule Cite(s)	30 Tex. Admin. Code §	290.39(j)(1)(A) and Tex. Health & Safety Code 341.0351	§
	Violation Description	addition where the chan increase or decrease in pro	ve Director prior to making any significant chang ge in the existing distribution system results in a duction, treatment, storage, or pressure mainter polyphosphate was being used without approval	an nance
			Base Pe	enalty \$5,000
>> Env	ironmental, Prope	ty and Human Health	Matrix	
OR	<b>Release</b> Actual	Harm Major Moderate	Minor	
	Potential		Percent 0.0%	
>>Pro	grammatic Matrix			
•	Falsification	Major Moderate	Minor	
		Х	Percent 10.0%	
	Matrix Notes	100% of the rule	requirements were not met.	
			Adjustment \$	54,500
				\$500
Violatio	on Events			
	Number of V	iolation Events 1	35 Number of violation day	
	Number of v	iolation Events 1	Number of violation day	5
		daily		
		weekly		
		monthly		
		quarterly	Violation Base Pe	enalty \$500
		semiannual		
		annual		
		single event x		
		One single	event is recommended.	
_		_		
Good F	aith Efforts to Com			uction \$0
		Before NOE/NOV Extraordinary	NOE/NOV to EDPRP/Settlement Offer	
		Ordinary		
		N/A x		
		Notes The Respon	dent does not meet the good faith criteria for this violation.	
			Violation Sul	btotal \$500
Econor	nic Benefit (EB) for	this violation	Statutory Limit Te	st
	Estimate	ed EB Amount	\$163 Violation Final Penalty	Total \$500
		This viola	ation Final Assessed Penalty (adjusted for li	mits) \$500
			, , , , , , , , , , , , , , , , , , , ,	

	E	conomic	Benefit	Wor	<b>'ksheet</b>		
Respondent	Mary Stewart	dba Shiloh RV Par	·k				
Case ID No.							
Reg. Ent. Reference No.							V
	Public Water S	supply				<b>Percent Interest</b>	Years of
Violation No.	1						Depreciation
						5.0	15
	Item Cost	<b>Date Required</b>	Final Date	Yrs	<b>Interest Saved</b>	Costs Saved	EB Amount
Item Description							
rem bescription							
Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$500	27-Feb-2020	21-Oct-2024	4.65	\$8	\$155	\$163
Engineering/Construction	Ψ300	27 1 05 2020	21 000 2021	0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0
	The delayed	cost includes the	estimated amou	int to no	tify the Executive	Director of the Faci	lity's changes,
Notes for DELAYED costs						violation to the estir	
			<b>_</b>	complia			
				<u> </u>			
Avoided Costs	ANNU	ALIZE avoided c	osts before en			one-time avoided	
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment		<u> </u>		0.00	\$0	\$0	\$0
Financial Assurance		<u> </u>		0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0 #0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Notes for AVOIDED costs							
<b>Approx. Cost of Compliance</b>		\$500			TOTAL		\$163
		,					•

	Scree	ning Date	5-May-2022		<b>Docket</b>	<b>No.</b> 2022-0540-PWS-E		PCW
		•		lba Shiloh RV Pa	ark		Policy R	Revision 5 (January 28, 2021)
_		se ID No.					PCV	V Revision February 11, 2021
Reg.	Ent. Refe		RN103939666					
			Public Water Su					
			Samantha Sala	S I				
		ion Number Rule Cite(s)	20 Toy Ad	min Codo S 20	0.45(a)(1)(D)(i) a.	ad Tay Haalth 9 Cafaty C	ada C	
		Ruie Cite(s)	30 Tex. Au	min. Code g 290	0.45(د)(۱)(۵)(۱) aı (341.0315(c	nd Tex. Health & Safety C	oue g	
					541.0515(c)			
			Failed to prov	ide a minimum	well capacity of 0	.6 gallons per minute ("gr	om") per	
	Violation	Description	unit. Specifica	lly, the Facility I	had 111 accommo	dation units, requiring a	minimum	
	Violation	Description	well capacity o	f 66.6 gpm. Hov		m were provided, indicati	ng a 49%	
					deficiency.			
						Base	Penalty	\$5,000
> > E	vivo n no o n	tal Drama	de and Urra	an Haalth N	<b>Ant</b> uise			
// EIIV	vii oiiiileii	tai, Propei	ty and num	nan Health M Harm	iatiix			
		Release	Major	Moderate	Minor			
OR		Actual						
		Potential		Х		Percent 5.0%		
>> Dro.	arammat	ic Matrix						
>>Pro	grammat	Falsification	Major	Moderate	Minor			
		Taisincación	Major	Moderate	1411101	Percent 0.0%		
						0.0.0		
		Failure to	provide adequa	te well capacity	could expose per	sons served by the Facilit	v to a	
	Matrix					evels that are protective o		
	Notes				health.			
							===	
						Adjustment	\$4,750	
								\$250
\/:- -+:	<b>-</b>	_						
violati	on Events	•						
		Number of V	iolation Events	1	35	Number of violation	days	
							, -	
			daily					
			weekly					
			monthly					
			quarterly	X		Violation Base	Penalty	\$250
			semiannual					
			annual single event					
			single event					
						1 24 2222		
		One quarterly	event is recom		lated from the Mar 2022 screening dat	ch 31, 2022 record review	v date to	
				the May 3, 2	1022 Screening dat			
Good F	aith Effo	rts to Com	nly	0.0%			Reduction	\$0
Joou F	aidi Liio	to Cull			OE/NOV to EDPRP/Set		Neu u Cu U II	φυ
			Extraordinary	,	, , , , , , , , , , , , , , , , , , , ,			
			Ordinary					
			N/A	Х				
				The Despenden	at door not recet the	no good faith suitsuit fa		
			Notes	rne Kesponden	it does not meet ti this violatio	ne good faith criteria for		
					ans violatio			
						Violation	Subtotal	\$250
_								Ψ250
Econor	mic Benef	it (EB) for	this violation	on		Statutory Limit	Test	
		Estimate	ed EB Amount		\$1,455	<b>Violation Final Pena</b>	ilty Total	\$250
				This violat	tion Final Accec	ed Penalty (adjusted fo	or limite)	\$250
				iiiis violat	735533	ca i charty (aujusted it	ts)	φ230

	E	conomic	Benefit	Wor	<b>'ksheet</b>		
Respondent	Mary Stewart	dba Shiloh RV Par	k				
Case ID No.							
Reg. Ent. Reference No.							
		S					V
	Public Water S	supply				<b>Percent Interest</b>	Years of
Violation No.	2						Depreciation
						5.0	15
	Item Cost	<b>Date Required</b>	<b>Final Date</b>	Yrs	<b>Interest Saved</b>	Costs Saved	<b>EB Amount</b>
Item Description		•					
Item Description							
Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0 \$0	\$0 \$0
Other (as needed)				0.00	\$0	\$0 \$0	\$0 \$0
Engineering/Construction	\$5,000	27-Feb-2020	24-Apr-2024	4.16	\$69	\$1,386	\$1,455
Land	457000	27 105 2020	217012021	0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0
	The delayed	cost includes the	estimated amo	unt to p	rovide a well capa	city of at least 0.6	gpm per unit,
Notes for DELAYED costs	calculated fr	om the date of th	e investigation	•	_	iolation to the estin	nated date of
				complia	ance.		
Avoided Costs	ANNII	ALTZE avoided c	osts before er	toring	item (except for	one-time avoided	L costs)
Avoided Costs Disposal	ANNO	ALIZE avoided C	osts before en	0.00	<del> </del>	\$0	\$0
Personnel				0.00	\$0 \$0	\$0 \$0	\$0 \$0
Inspection/Reporting/Sampling				0.00	\$0 \$0	\$0 \$0	\$0
Supplies/Equipment				0.00	\$0	\$0 \$0	\$0 \$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
, ,		<u>'</u>					7 0
Notes for AVOIDED costs							
Ammery Cost of Committee		<b>#E 000</b>			TOTAL		#1 AFF
Approx. Cost of Compliance		\$5,000			TOTAL		\$1,455

	Scree	ning Date	5-May-2022	Docket No. 2022-0540-PWS-E	PCW
		•	Mary Stewart dba Shiloh RV Pa	ark	Policy Revision 5 (January 28, 2021)
_		ase ID No.			PCW Revision February 11, 2021
Reg.	Ent. Refe		RN103939666		
			Public Water Supply		
			Samantha Salas		
		ion Number Rule Cite(s)	30 Tay Admin Code 5 20	0.4E(a)(1)(D)(ii) and Tay, Haalth 9. Cafaty Co	do C
		Rule Cite(s)	30 Tex. Admin. Code § 29	0.45(c)(1)(B)(ii) and Tex. Health & Safety Co 341.0315(c)	de g
				311.0313(0)	
			Failed to provide a ground sto	orage capacity of 35 gallons per unit. Specific	ally, the
	Violation	Description	Facility had 111 accommod	dation units, requiring a minimum ground sto	rage
	Violation	Description	capacity of 3,885 gallons.	However, none was provided, indicating a 10	00%
				deficiency.	
		l			
				Base	Penalty \$5,000
>> En:	vironmom	tal Dramau	the and Human Haalth I	Antuis	
// EIIV	vii oiiiileii	itai, Propei	ty and Human Health N Harm	Hau IX	
		Release	Major Moderate	Minor	
OR		Actual			
		Potential	х	Percent 15.0%	
>> Dro	arammat	ic Matrix			
//P10	granniat	Falsification	Major Moderate	Minor	
		raiomeación	- Hajor - Hoderate	Percent 0.0%	
	_				
		Esilves to see		and decorate to a second backles For the	. h. sin su
	Matrix Notes			e could result in persons served by the Facility ald exceed levels protective of human health.	/ being
	Notes	ехроз	ed to contaminants which wou	and exceed levels protective of numan health.	
	_				
				Adjustment	\$4,250
					\$750
\/:-I-+:	<b>-</b>	_			
Violatio	on Event	5			
		Number of V	iolation Events 2	35 Number of violation d	ays
					,
			daily		
			weekly		
			monthly x		
			quarterly	Violation Base	Penalty \$1,500
			semiannual		
			annual single event		
			single event		
	Ī			1.16	
		Two monthly e		ulated from the March 31, 2022 record review 2022 screening date.	date to
			the May 3, 2	2022 Screening date.	
Cood	aith Effa	who to Com	0.00/		t-0
Good F	aith Eno	rts to Com		NOE/NOV to EDPRP/Settlement Offer	eduction \$0
			Extraordinary	The state of the s	
			Ordinary		
			N/A x		
			Notes The Responder	nt does not meet the good faith criteria for this violation.	
				this violation.	
				VI-1-11	hibiatal #1 500
				Violation S	Subtotal \$1,500
Econor	mic Bene	fit (EB) for	this violation	Statutory Limit 1	Test Test
		Estimate	ed EB Amount	\$2,912 Violation Final Penal	ty Total \$1,500
			This viola	tion Final Assessed Penalty (adjusted for	limits) \$1,500

	E	conomic	Benefit	Wor	<b>'ksheet</b>		
Respondent	Mary Stewart	dba Shiloh RV Par	·k				
Case ID No.	•	aba Simon itt i ai	N.				
Reg. Ent. Reference No.							
	Public Water S	Supply				<b>Percent Interest</b>	Years of
Violation No.	3						Depreciation
						5.0	15
	Item Cost	<b>Date Required</b>	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
item bescription							
Dolayed Costs							
Delayed Costs Equipment		1		0.00	\$0	\$0	\$0
Equipment Buildings				0.00	\$0 \$0	\$0 \$0	\$0 \$0
Other (as needed)				0.00	\$0 \$0	\$0 \$0	\$0 \$0
Engineering/Construction	\$10,000	27-Feb-2020	24-Apr-2024	4.16	\$139	\$2,773	\$2,912
Land	\$10,000	27 1 CD 2020	2+ Apr 202+	0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0
	The delayed o	ost includes the e	stimated amou	at to pro	wide a ground stor	rage capacity of at I	east 35 gallons
Notes for DELAYED costs						ing the violation to	
Notes for DELAYED Costs	per unit, care	uiateu iroini tile u		_	npliance.	ing the violation to	the estimated
			uai	e or con	прпапсе.		
Avoided Costs	ANNU	ALIZE avoided c	osts before er	tering	item (except for	one-time avoided	costs)
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Notes for AVOIDED costs							
Notes for Avoided costs							
•							
Approx. Cost of Compliance		\$10,000			TOTAL		\$2,912
•		T = -/					1 - /

_	_		5-May-2022		Docket No.	2022-0540-PWS-E		PCW
_		-	Mary Stewart d	lba Shiloh RV P	Park		Policy Revision 5 (Januar)	y 28, 2021)
_	C	ase ID No.	62313				PCW Revision Februar	ry 11, 2021
Reg.	Ent. Refe		RN103939666					
			Public Water Su					
			Samantha Sala	S				
	Viola	tion Number						
		Rule Cite(s)	30 Tex. Adr	nin. Code § 29		Гех. Health & Safety Co	<mark>de §</mark>	
					341.0315(c)			
							6.4.0	
						h have a total capacity ommodation units, requ		
	Violation	Description				none was provided, indi		
			10 to 10 to 10 p t	ampacity c	100% deficiency.	iono mas promasa, ma		
					,			
		'						
						Base	Penalty	\$5,000
> = Em	vivo n no on	tal Drama	what small live	an Uaalth I	Makelar			
// EII	vironinei	itai, Prope	rty and Hum	Harm	Масгіх			
		Release	Major	Moderate	Minor			
OR		Actual	_					
		Potential	Х			Percent 15.0%		
		<u> </u>						
>>Pro	grammat	tic Matrix						
	li li	Falsification	Major	Moderate	Minor	<b>D</b>		
						Percent 0.0%		
	Matrix	Failure to p	provide the min	imum service p	nump capacity could ex	pose persons served by	<mark>/ the</mark>	
	Notes	Facility t	o contaminants	that would ex	ceed levels that are pr	otective of human healt	<mark>h.                                      </mark>	
					Ac	justment	\$4,250	
						Justinent	<del>+ ./===</del>	
								\$750
\/:-I-+:	<b>-</b>	_						
violati	on Event	S						
		Number of V	iolation Events	2	35	Number of violation da	avs	
		Number of V	iolation Events	2	35	Number of violation da	ays	
		Number of V	iolation Events daily	2	35	Number of violation da	ays	
		Number of V		2	35	Number of violation da	ays	
		Number of V	daily weekly monthly	2 x	35			
		Number of V	daily weekly monthly quarterly		35	Number of violation da  Violation Base		\$1,500
		Number of V	daily weekly monthly quarterly semiannual		35			\$1,500
		Number of V	daily weekly monthly quarterly semiannual annual		35			\$1,500
		Number of V	daily weekly monthly quarterly semiannual		35			\$1,500
			daily weekly monthly quarterly semiannual annual single event	X		Violation Base	Penalty	\$1,500
			daily weekly monthly quarterly semiannual annual single event	mmended, calc	culated from the March		Penalty	\$1,500
			daily weekly monthly quarterly semiannual annual single event	mmended, calc		Violation Base	Penalty	\$1,500
		Two monthly e	daily weekly monthly quarterly semiannual annual single event	mmended, calc	culated from the March	Violation Base	Penalty  date to	
Good I			daily weekly monthly quarterly semiannual annual single event	mmended, calc the May 5,	culated from the March 2022 screening date.	Violation Base   31, 2022 record review	Penalty	\$1,500 \$0
Good I		Two monthly e	daily weekly monthly quarterly semiannual annual single event	mmended, calconthe May 5,	culated from the March	Violation Base   31, 2022 record review	Penalty  date to	
Good I		Two monthly e	daily weekly monthly quarterly semiannual annual single event	mmended, calc the May 5,	culated from the March 2022 screening date.	Violation Base   31, 2022 record review	Penalty  date to	
Good I		Two monthly e	daily weekly monthly quarterly semiannual annual single event  events are recor  ply  Extraordinary Ordinary	mmended, calc the May 5,	culated from the March 2022 screening date.	Violation Base   31, 2022 record review	Penalty  date to	
Good I		Two monthly e	daily weekly monthly quarterly semiannual annual single event	mmended, calc the May 5,	culated from the March 2022 screening date.	Violation Base   31, 2022 record review	Penalty  date to	
Good I		Two monthly e	daily weekly monthly quarterly semiannual annual single event  events are recor  Extraordinary Ordinary N/A	mmended, calcothe May 5,	culated from the March 2022 screening date.  NOE/NOV to EDPRP/Settlement of the control of the c	Violation Base  31, 2022 record review  Reent Offer	Penalty  date to	
Good I		Two monthly e	daily weekly monthly quarterly semiannual annual single event  events are recor  ply  Extraordinary Ordinary	mmended, calcothe May 5,	culated from the March 2022 screening date.	Violation Base  31, 2022 record review  Reent Offer	Penalty  date to	
Good I		Two monthly e	daily weekly monthly quarterly semiannual annual single event  events are recor  Extraordinary Ordinary N/A	mmended, calcothe May 5,	culated from the March 2022 screening date.  NOE/NOV to EDPRP/Settlement of the control of the c	Violation Base  31, 2022 record review  Reent Offer	Penalty  date to	
Good I		Two monthly e	daily weekly monthly quarterly semiannual annual single event  events are recor  Extraordinary Ordinary N/A	mmended, calcothe May 5,	culated from the March 2022 screening date.  NOE/NOV to EDPRP/Settlement of the control of the c	Violation Base  31, 2022 record review  Reent Offer	date to	
	Faith Effo	Two monthly e	daily weekly monthly quarterly semiannual annual single event  events are recor  Extraordinary Ordinary N/A Notes	mmended, calconthe May 5,  O.0%  Before NOE/NOV  X  The Responde	culated from the March 2022 screening date.  NOE/NOV to EDPRP/Settlement of the contract of th	Violation Base  31, 2022 record review  Record Offer  Ood faith criteria for  Violation S	date to duction	\$0
	Faith Effo	Two monthly e	daily weekly monthly quarterly semiannual annual single event  events are recor  Extraordinary Ordinary N/A	mmended, calconthe May 5,  O.0%  Before NOE/NOV  X  The Responde	culated from the March 2022 screening date.  NOE/NOV to EDPRP/Settlement of the contract of th	Violation Base  31, 2022 record review  Record Offer	date to duction	\$0
	Faith Effo	Two monthly o	daily weekly monthly quarterly semiannual annual single event  events are recor  Extraordinary Ordinary N/A Notes	mmended, calce the May 5,  O.0%  Before NOE/NOV  X  The Responde	nt does not meet the other wild this violation.	Violation Base  31, 2022 record review  Record Offer  Ood faith criteria for  Violation S	date to duction ubtotal	\$0
	Faith Effo	Two monthly o	daily weekly monthly quarterly semiannual annual single event  events are recor  Ply  Extraordinary Ordinary N/A Notes	mmended, calconthe May 5,  O.0% Before NOE/NOV  X  The Responde	nt does not meet the othis violation.	Violation Base  31, 2022 record review  Record Offer  Violation S  Statutory Limit T	date to duction ubtotal est	\$1,500

	E	conomic	Benefit	Wor	ksheet		
Respondent	Mary Stewart	dba Shiloh RV Par	k				
Case ID No.	•						
Reg. Ent. Reference No.							
	Public Water S						Years of
Violation No.		Supply				<b>Percent Interest</b>	Depreciation
Violation No.	4					F 0	
					ا ا	5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	<b>Costs Saved</b>	EB Amount
Item Description							
Delayed Costs				_			
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction	\$5,000	27-Feb-2020	24-Apr-2024	4.16	\$69	\$1,386	\$1,455
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0
	The delayed of	cost includes the e	stimated amou	nt to pro	ovide two or more	service pumps with	a total service
Notes for DELAYED costs	pump ca	apacity of at least	1.0 gpm per un	it, calcu	lated from the date	e of the investigation	n initially
		'		•	estimated date of	•	,
						<u> </u>	
Avoided Costs	ANNU	ALIZE avoided c	osts before en			one-time avoided	
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0 #0	\$0
ONE-TIME avoided costs				0.00	\$0 \$0	\$0 \$0	\$0 \$0
Other (as needed)				0.00	\$0	\$0	<u>\$U</u>
Notes for AVOIDED costs							
Approx. Cost of Compliance		\$5,000			TOTAL		\$1,455

	Scree	ening Date	5-May-2022		Do	cket No.	2022-0540-PWS-E		PCW
	R	espondent	Mary Stewart d	ba Shiloh RV	Park			Policy I	Revision 5 (January 28, 2021)
	C	ase ID No.	62313					PCI	W Revision February 11, 2021
Reg.	Ent. Refe	erence No.	RN103939666						
		Media	Public Water Su	apply					
	Enf. Co	oordinator	Samantha Sala	s					
	Viola	tion Number	5						
		Rule Cite(s)	30 Tex. Adr	nin. Code § 29	90.45(c)(1)(B	(iv) and Te	ex. Health & Safety	Code §	
					341.03	315(c)			
			·	•			ons per unit. Speci		
	Violation	Description					ring a minimum pre		
			capacity or 1,	i i u galions. H	53% def		s were provided, in	idicating a	
					33 % dei	referrey.			
							Ba	se Penalty	\$5,000
>> En	vironmer	ital, Prope	rty and Hum		Matrix				
		Release	Major	<b>Harm</b> Moderate	Minor				
OR		Actual		Moderate	MILIOI				
		Potential					Percent 15.0%		
			A				13.070		
>>Pro	grammat	tic Matrix							
	_	Falsification	Major	Moderate	Minor			_	
							Percent 0.0%		
	Matrix	Failure to r	arovido the ado	guata proceur	a tank canacit	ty could ove	oco porcopo corvo	d by the	
	Matrix Notes				•		oose persons served tective of human he	,	
	Notes	r defirey (	o concarminaries	triat would ex	reced levels t	inde die pro-	teetive of Haman in	carciii	
						Adj	ustment	\$4,250	
									\$750
									Ψ730
Violati	ion Event	s							
					_				
		Number of V	iolation Events	2		35	Number of violation	n days	
			daily						
			weekly						
			monthly	X			Violeties Ba	co Donaltu	¢1 F00
			quarterly semiannual				Violation Ba	se Penaity	\$1,500
			annual						
			single event						
			Single Strong						
		T				tla - Mararala 2	11 2022		
		iwo monthiy e	events are recor		2022 screeni		31, 2022 record rev	iew date to	
				the May 5,	2022 30100111	ing date.			
			_						1.0
Good I	Faith Effo	rts to Com		0.0%	NOT (NOV to ED)	DDD /C - H-l	h 0%	Reduction	\$0
			Extraordinary	efore NOE/NOV	NOE/NOV to ED	PRP/Settlemen	t Offer		
			Í						
			Ordinary						
			N/A	Х				1	
			NI - ±	The Responde	ent does not r	meet the go	od faith criteria for		
			Notes		this \	violation.			
			l					1	
							Violatio	n Subtotal	\$1,500
									7-/550
Econo	mic Bene	fit (EB) for	this violation	on			Statutory Limi	t Test	
		Ectimate	ed EB Amount		\$2,912	1.	iolation Final Per	alty Total	\$1,500
		ESUIIIdte	M LD MIIIUUIIT		<b>⊅८,</b> 71∠	V	ioiauvii Filidi Pel	iaity IUlai	φ1,500
				This viol	ation Final A	Assessed P	enalty (adjusted	for limits)	\$1,500

	E	conomic	<b>Benefit</b>	Wor	<b>'ksheet</b>						
Respondent	Mary Stewart	dba Shiloh RV Par	k								
Case ID No.											
Reg. Ent. Reference No.											
		unnly					Years of				
	Public Water S	ирргу				<b>Percent Interest</b>					
Violation No.	5						Depreciation				
						5.0	15				
	Item Cost	<b>Date Required</b>	Final Date	Yrs	<b>Interest Saved</b>	<b>Costs Saved</b>	<b>EB Amount</b>				
Item Description											
•											
Delayed Costs											
Equipment				0.00	\$0	\$0	\$0				
Buildings				0.00	\$0	\$0	\$0				
Other (as needed)				0.00	\$0	\$0	\$0				
Engineering/Construction	\$10,000	27-Feb-2020	24-Apr-2024	4.16	\$139	\$2,773	\$2,912				
Land				0.00	\$0	n/a	\$0				
Record Keeping System				0.00	\$0	n/a	\$0				
Training/Sampling				0.00	\$0	n/a	\$0				
Remediation/Disposal				0.00	\$0	n/a	\$0				
Permit Costs				0.00	\$0	n/a	\$0				
Other (as needed)				0.00	\$0	n/a	\$0				
	The delayed o	ost includes the e	stimated amour	nt to pro	ovide a pressure ta	nk capacity of at le	ast ten gallons				
Notes for DELAYED costs						ing the violation to					
	p = 1 = 1 = 1 = 1				npliance.						
Avoided Costs	ANNU	ALIZE avoided c	<u>osts before en</u>			one-time avoided					
Disposal				0.00	\$0	\$0	\$0				
Personnel				0.00	\$0	\$0	\$0				
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0				
Supplies/Equipment				0.00	\$0	\$0	\$0				
Financial Assurance ONE-TIME avoided costs				0.00	\$0	\$0 #0	\$0				
Other (as needed)				0.00	\$0 \$0	\$0 \$0	\$0 \$0				
Other (as needed)				0.00	<u>\$0</u>	\$0	\$0				
Notes for AVOIDED costs											
,											
Approx. Cost of Compliance		\$10,000			TOTAL		\$2,912				



# Compliance History Report

Compliance History Report for CN602446221, RN103939666, Rating Year 2023 which includes Compliance History (CH) components from September 1, 2018, through August 31, 2023.

Customer, Respondent, or CN602446221, STEWART, MARY

Classification: UNCLASSIFIED Rating: -----

Owner/Operator:

Regulated Entity: RN103939666, SHILOH RV PARK Classification: NOT APPLICABLE Rating: N/A

Complexity Points: N/A Repeat Violator: N/A

CH Group: 14 - Other

**Location:** 5539 FARM-TO-MARKET ROAD 762 NEAR RICHMOND, FORT BEND COUNTY, TEXAS

TCEO Region: REGION 12 - HOUSTON

ID Number(s):

PUBLIC WATER SYSTEM/SUPPLY REGISTRATION 0790432

Compliance History Period: September 01, 2018 to August 31, 2023 Rating Year: 2023 Rating Date: 09/01/2023

**Date Compliance History Report Prepared:** November 09, 2023

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: November 09, 2018 to November 09, 2023

TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.

Name: Samantha Salas Phone: (512) 239-1543

# Site and Owner/Operator History:

1) Has the site been in existence and/or operation for the full five-year compliance period? YES

2) Has there been a (known) change in ownership/operator of the site during the compliance period? NO

# Components (Multimedia) for the Site Are Listed in Sections A - J

A. Final Orders, court judgments, and consent decrees:

N/A

**B.** Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

D. The approval dates of investigations (CCEDS Inv. Track. No.):

Item 1 September 26, 2023 (1929818)

E. Written notices of violations (NOV) (CCEDS Inv. Track. No.):

A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a regulated entity. A notice of violation is not a final enforcement action, nor proof that a violation has actually occurred.

N/A

F. Environmental audits:

N/A

G. Type of environmental management systems (EMSs):

H. Voluntary on-site compliance assessmen	t dates
---	---------

N/A

I. Participation in a voluntary pollution reduction program:

N/A

J. Early compliance:

N/A

**Sites Outside of Texas:** 

N/A

## **Component Appendices**

# Appendix A

# All NOVs Issued During Component Period 11/9/2018 and 11/9/2023

1 11/04/2019 Date: (1597786)

> Self Report? NO Classification: Minor

Citation:

30 TAC Chapter 290, SubChapter D 290.45(c)(1)(B)(ii)

Description: Failure to provide a minimum ground storage capacity of 35 gallons per unit.

Self Report? Classification:

Citation:

30 TAC Chapter 290, SubChapter D 290.45(c)(1)(B)(iii)

Description: Failure to provide a minimum of two or more service pumps with a capacity of 1.0

gallons per minute per unit.

NO Classification: Self Report? Minor

Citation:

Date

Citation:

30 TAC Chapter 290, SubChapter D 290.45(c)(1)(B)(iv)

Description: Failure to provide a minimum pressure tank capacity of 10 gallons per unit with a

minimum of 220 gallons.

(1632876)

Self Repo NO

30 TAC Chapter 290, SubChapter D 290.46(m)

Failure to maintain the air release of the well in good condition and equipped with mesh Description:

in good condition to prevent the entry of contaminants.

Self Report? NO

06/11/2020

Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(3)(O)

Failure to protect the well units by intruder-resistant fences, the gates of which are Description:

provided with locks or shall be enclosed in locked, ventilated well houses to exclude

Classification:

Classification:

Moderate

possible contamination or damage to the facilities by trespassers.

Self Report? Classification: Minor

Citation:

30 TAC Chapter 290, SubChapter F 290.110(d)(1)

Description: Failure to maintain current reagents for chlorine kit.

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 290, SubChapter D 290.46(m)(1)(B)

Description: Failure to conduct an external pressure tank inspection annually.

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 290, SubChapter F 290.110(e)(4)(B)

Description: Failure maintain Disinfectant Level Quarterly Operating Report (DLQOR) reports. Classification: Moderate

Self Report? NO

Citation:

30 TAC Chapter 290, SubChapter F 290.110(c)(4)(A)

Description: Failure to monitor and record the chlorine residual in distribution at the required

frequency.

Classification: Self Report? NO Moderate

Citation:

30 TAC Chapter 290, SubChapter D 290.46(s)(1)

Failure by the regulated entity to calibrate the well meter(s) required by 30 TAC Description:

290.41(c)(3)(N) according to the manufacturer's specifications at least once every three

years.

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 290, SubChapter D 290.45(c)(1)(B)(i)

Failure to provide a well capacity of 0.6 gallons per minute per connection. Description: Self Report? NO Classification: Moderate

Citation:

Compliance History Report for CN602446221, RN103939666, Rating Year 2023 which includes Compliance History (CH) components from November 09, 2018, through November 09, 2023. Ratings are pending Mass Classification.

30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(i)(III)

Description: Failure to maintain records of weekly chemical usage.

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 290, SubChapter F 290.121(a)

Description: Failure to develop and maintain an up-to-date chemical and microbiological monitoring

plan.

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 290, SubChapter D 290.46(n)(2)

Description: Failure to prepare and maintain a map of the distribution system so that valves and

mains may be easily located during emergencies.

Self Report? NO Classification:

Citation:

30 TAC Chapter 290, SubChapter D 290.42(I)

Description: Failure to compile and maintain, a current, and thorough plant operations manual for

operator review and reference. This manual should be of sufficient detail to provide the operator with routine maintenance and repair procedure as well as provide telephone numbers of water system personnel, system officials, and local/state/federal agencies

Moderate

to be contacted in the event of an emergency.

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 290, SubChapter D 290.39(j)(1)(A)

Description: Failure to submit plans and specifications to the executive director for proposed changes

to existing system treatment.

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 290, SubChapter D 290.45(c)(1)(B)(ii)

Description: Failure to provide a minimum ground storage capacity of 35 gallons per unit.

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 290, SubChapter D 290.45(c)(1)(B)(iii)

Description: Failure to provide a minimum of two or more service pumps with a capacity of 1.0

gallon per minute per unit.

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 290, SubChapter D 290.45(c)(1)(B)(iv)

Description: Failure to provide a minimum pressure tank capacity of 10 gallons per unit.

3 Date: 11/12/2020 (1659026)

Self Report? NO Classification: Minor

Citation:

30 TAC Chapter 290, SubChapter D 290.46(m)

Description: Failure to maintain the air release of the well in good condition and equipped with mesh

in good condition to prevent the entry of contaminants.

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 290, SubChapter D 290.41(c)(3)(O)

Description: Failure to protect the well units by intruder-resistant fences, the gates of which are

provided with locks or shall be enclosed in locked, ventilated well houses to exclude

possible contamination or damage to the facilities by trespassers.

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 290, SubChapter D 290.46(m)(1)(B)

Description: Failure to conduct an external pressure tank inspection annually.

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 290, SubChapter F 290.110(e)(4)(B)

Description: Failure maintain Disinfectant Level Quarterly Operating Report (DLQOR) reports.

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 290, SubChapter F 290.110(c)(4)(A)

Description: Failure to monitor and record the chlorine residual in distribution at the required

frequency.

Self Report? NO Classification: Moderate

Citation:

Citation:

30 TAC Chapter 290, SubChapter D 290.46(s)(1)

Description: Failure by the regulated entity to calibrate the well meter(s) required by 30 TAC

290.41(c)(3)(N) according to the manufacturer's specifications at least once every three

Classification:

Moderate

vears.

Self Report? NO

30 TAC Chapter 290, SubChapter D 290.45(c)(1)(B)(i)

Description: Failure to provide a well capacity of 0.6 gallons per minute per connection.

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(i)(III)

Description: Failure to maintain records of weekly chemical usage.

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 290, SubChapter F 290.121(a)

Description: Failure to develop and maintain an up-to-date chemical and microbiological monitoring

plan.

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 290, SubChapter D 290.46(n)(2)

Description: Failure to prepare and maintain a map of the distribution system so that valves and

mains may be easily located during emergencies.

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 290, SubChapter D 290.42(I)

Description: Failure to compile and maintain, a current, and thorough plant operations manual for

operator review and reference. This manual should be of sufficient detail to provide the operator with routine maintenance and repair procedure as well as provide telephone numbers of water system personnel, system officials, and local/state/federal agencies

to be contacted in the event of an emergency.

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 290, SubChapter D 290.39(j)(1)(A)

Description: Failure to submit plans and specifications to the executive director for proposed changes

to existing system treatment.

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 290, SubChapter D 290.45(c)(1)(B)(ii)

Description: Failure to provide a minimum ground storage capacity of 35 gallons per unit.

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 290, SubChapter D 290.45(c)(1)(B)(iii)

Description: Failure to provide a minimum of two or more service pumps with a capacity of 1.0

gallon per minute per unit.

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 290, SubChapter D 290.45(c)(1)(B)(iv)

Description: Failure to provide a minimum pressure tank capacity of 10 gallons per unit.

<sup>\*</sup> NOVs applicable for the Compliance History rating period 9/1/2018 to 8/31/2023

Item 1	November 04, 2019**	(1597786)
Item 2	April 28, 2020**	(1605531)
Item 3	June 11, 2020**	(1632876)
Item 4	November 06, 2020**	(1659026)
Item 5	April 29, 2022**	(1803741)
Item 6*	September 26, 2023	(1929818)

<sup>\*</sup> No violations documented during this investigation

# Informational Purposes Only

<sup>\*\*</sup>Investigation applicable for the Compliance History Rating period between 09/01/2018 and 08/31/2023.

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN	§	BEFORE THE
ENFORCEMENT ACTION	§	
CONCERNING	§	TEXAS COMMISSION ON
MARY STEWART DBA SHILOH RV	§	TEXAS COMMISSION ON
PARK	§	
RN103939666	§	ENVIRONMENTAL QUALITY

# AGREED ORDER DOCKET NO. 2022-0540-PWS-E

On	, the Texas Commission on Environmental Quality ("the
Commission" or "TCE	Q") considered this agreement of the parties, resolving an enforcement
action regarding Mary	Stewart dba Shiloh RV Park (the "Respondent") under the authority of
TEX. HEALTH & SAFETY	ODE ch. 341. The Executive Director of the TCEQ, through the
Enforcement Division	and the Respondent presented this Order to the Commission.

The Respondent understands that she has certain procedural rights at certain points in the enforcement process, including the right to formal notice of violations, notice of an evidentiary hearing, the right to an evidentiary hearing, and a right to appeal. By entering into this Order, the Respondent agrees to waive all notice and procedural rights.

It is further understood and agreed that this Order represents the complete and fully-integrated agreement of the parties. The provisions of this Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Order unenforceable, the remaining provisions shall be valid and enforceable. The duties and responsibilities imposed by this Order are binding upon the Respondent.

The Commission makes the following Findings of Fact and Conclusions of Law:

# I. FINDINGS OF FACT

- 1. The Respondent owns and operates a public water supply located at 5539 Farm-to-Market Road 762 near Richmond, Fort Bend County, Texas (the "Facility"). The Facility provides water for human consumption, has approximately 111 service connections, and serves at least 25 people per day for at least 60 days per year. As such, the Facility is a public water system as defined in 30 Tex. Admin. Code § 290.38(71).
- 2. During a record review for the Facility conducted on March 31, 2022, an investigator documented that:
  - a. Polyphosphate was being used without approval.
  - b. The Facility had 111 accommodation units, requiring a minimum well capacity of 66.6 gallons per minute ("gpm"). However, only 34 gpm were provided, indicating a 49% deficiency.

- c. The Facility had 111 accommodation units, requiring a minimum ground storage capacity of 3,885 gallons. However, none was provided, indicating a 100% deficiency.
- d. The Facility had 111 accommodation units, requiring a total service pump capacity of 111 gpm. However, none was provided, indicating a 100% deficiency.
- e. The Facility was serving 111 accommodation units, requiring a minimum pressure tank capacity of 1,110 gallons. However, only 525 gallons were provided, indicating a 53% deficiency.

# II. CONCLUSIONS OF LAW

- 1. As evidenced by Finding of Fact No. 1, the Respondent is subject to the jurisdiction of the TCEQ pursuant to Tex. Health & Safety Code ch. 341 and the rules of the TCEQ.
- 2. As evidenced by Finding of Fact No. 2.a, the Respondent failed to notify the Executive Director prior to making any significant change or addition where the change in the existing distribution system results in an increase or decrease in production, treatment, storage, or pressure maintenance capacity, in violation of 30 Tex. ADMIN. CODE § 290.39(j)(1)(A) and Tex. Health & Safety Code § 341.0351.
- 3. As evidenced by Finding of Fact No. 2.b, the Respondent failed to provide a minimum well capacity of 0.6 gpm per unit, in violation of 30 Tex. ADMIN. CODE § 290.45(c)(1)(B)(i) and Tex. Health & Safety Code § 341.0315(c).
- 4. As evidenced by Finding of Fact No. 2.c, the Respondent failed to provide a ground storage capacity of 35 gallons per unit, in violation of 30 Tex. ADMIN. CODE § 290.45(c)(1)(B)(ii) and Tex. Health & Safety Code § 341.0315(c).
- 5. As evidenced by Finding of Fact No. 2.d, the Respondent failed to provide two or more service pumps which have a total capacity of 1.0 gpm per unit, in violation of 30 Tex. ADMIN. CODE § 290.45(c)(1)(B)(iii) and Tex. Health & Safety Code § 341.0315(c).
- 6. As evidenced by Finding of Fact No. 2.e, the Respondent failed to provide a pressure tank capacity of ten gallons per unit, in violation of 30 Tex. ADMIN. CODE § 290.45(c)(1)(B)(iv) and Tex. Health & Safety Code § 341.0315(c).
- 7. Pursuant to Tex. Health & Safety Code § 341.049(a), the TCEQ has the authority to assess an administrative penalty against the Respondent for violations of state statutes within the TCEQ's jurisdiction, for violations of rules adopted under such statutes, or for violations of orders or permits issued under such statutes.
- 8. An administrative penalty in the amount of \$5,250 is justified by the facts recited in this Order, and considered in light of the factors set forth in Tex. Health & Safety Code § 341.049(b). The Respondent paid the \$5,250 penalty.

### III. ORDERING PROVISIONS

NOW, THEREFORE, THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY ORDERS that:

1. The Respondent is assessed a penalty as set forth in Conclusion of Law No. 8 for violations of state statutes and rules of the TCEQ. The payment of this penalty and the Respondent's compliance with all the requirements set forth in this Order resolve only the matters set forth by this Order in this action. The Commission shall not be constrained in any manner from requiring corrective actions or penalties for violations that are not raised here. Penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Mary Stewart dba Shiloh RV Park, Docket No. 2022-0540-PWS-E" to:

Financial Administration Division, Revenue Operations Section Attention: Cashier's Office, MC 214 Texas Commission on Environmental Quality P.O. Box 13088 Austin, Texas 78711-3088

- 2. The Respondent shall undertake the following technical requirements:
  - a. Within 180 days after the effective date of this Order:
    - i. Submit accurate, up-to-date, and detailed as-built plans, specifications, and engineering reports for the significant changes made to the Facility's production and treatment, including but not limited to the use of polyphosphate, in accordance with 30 Tex. ADMIN. CODE § 290.39. The plans, specifications, and reports shall be submitted to:

Plan Review Team Water Supply Division, MC 159 Texas Commission on Environmental Quality P.O. Box 13087 Austin, Texas 78711-3087

Respond completely and adequately, as determined by the TCEQ, to all requests for information concerning plans and specifications within 15 days after the date of such requests, or by any other deadline specified in writing.

- ii. Provide a well capacity of at least 0.6 gpm per unit, in accordance with 30 Tex. ADMIN. CODE § 290.45;
- iii. Provide a ground storage capacity of at least 35 gallons per unit, in accordance with 30 Tex. Admin. Code § 290.45;
- iv. Provide two or more service pumps which have a total capacity of at least 1.0 gpm per unit, in accordance with 30 Tex. ADMIN. CODE § 290.45; and

- v. Provide a pressure tank capacity of at least ten gallons per unit, in accordance with 30 Tex. ADMIN. CODE § 290.45.
- b. Within 195 days after the effective date of this Order, submit written certification as described in Ordering Provision No. 2.d below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision Nos. 2.a.i through 2.a.v.
- c. Within 270 days after the effective date of this Order, obtain approval of the asbuilt plans and specifications for the significant changes made to the Facility from the Executive Director, in accordance with 30 Tex. ADMIN. CODE § 290.39.
- d. Within 285 days after the effective date of this Order, submit written certification, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.c. The certification shall be signed by the Respondent and shall include the following certification language:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations."

The certification shall be submitted to:

Enforcement Division, MC 149A Texas Commission on Environmental Quality P.O. Box 13087 Austin, Texas 78711-3087

with a copy to:

Water Section Manager Houston Regional Office Texas Commission on Environmental Quality 5425 Polk Street, Suite H Houston, Texas 77023-1452

- 3. All relief not expressly granted in this Order is denied.
- 4. The duties and provisions imposed by this Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of this Order to personnel who maintain day-to-day control over the Facility operations referenced in this Order.

Mary Stewart dba Shiloh RV Park DOCKET NO. 2022-0540-PWS-E Page 5

- 5. The Executive Director may grant an extension of any deadline in this Order or in any plan, report, or other document submitted pursuant to this Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director. Extension requests shall be sent to the Enforcement Division at the address listed above.
- 6. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms in this Order.
- 7. This Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Order, whichever is later.
- 8. This Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
- 9. This Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms: electronic transmission, owner, person, writing, and written, shall have the meanings assigned to them under Tex. Bus. Org. Code § 1.002.
- 10. The effective date of this Order is the date it is signed by the Commission. A copy of this fully executed Order shall be provided to each of the parties.

Mary Stewart dba Shiloh RV Park DOCKET NO. 2022-0540-PWS-E Page 6

Mary Stewart dba Shiloh RV Park

# SIGNATURE PAGE

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission	Date			
Earth Francisco Di	3/22/2024			
For the Executive Director	Date			
I, the undersigned, have read and understand the attached Order. I am authorized to agree to the attached Order, and I do agree to the terms and conditions specified therein. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.				
I also understand that failure to comply with the Ordering Provisions, if any, in this Order and/or failure to timely pay the penalty amount, may result in:				
<ul> <li>A negative impact on compliance history;</li> <li>Greater scrutiny of any permit applications submitted;</li> <li>Referral of this case to the OAG for contempt, injunctive relief, additional penalties,</li> </ul>				
and/or according rees, or to a conjection agency.				
<ul> <li>Increased penalties in any future enforcement actions;</li> <li>Automatic referral to the OAG of any future enforcement actions; and</li> </ul>				
TCEQ seeking other relief as authorized by law.				
In addition, any falsification of any compliance documents may result in criminal prosecution.				
Signature Stewart	1-30-24			
Mary Stewart	Date			
Name (Printed or typed)	Title			
Authorized Representative of				

☐ If mailing address has changed, please check this box and provide the new address below: